



**6560.50**  
**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Parts 271 and 272**

**[EPA-R06-RCRA-2011-0407; FRL-9613-5 ]**

**New Mexico: Incorporation by Reference of State Hazardous Waste Management Program**

**AGENCY: Environmental Protection Agency (EPA).**

**ACTION: Proposed rule.**

**SUMMARY:** The EPA proposes to codify in the regulations entitled “Approved State Hazardous Waste Management Programs”, New Mexico’s authorized hazardous waste program. The EPA will incorporate by reference into the Code of Federal Regulations (CFR) those provisions of the State regulations that are authorized and that the EPA will enforce under the Solid Waste Disposal Act, commonly referred to as the Resource Conservation and Recovery Act (RCRA). In the “Rules and Regulations” section of this **Federal Register**, the EPA is codifying and incorporating by reference the State’s hazardous waste program as an immediate final rule. The EPA did not make a proposal prior to the immediate final rule because we believe these actions are not controversial and do not expect comments that oppose them. We have explained the reasons for this codification and incorporation by reference in the preamble to the immediate final rule. Unless we get written comments which oppose this incorporation by reference during the comment period, the immediate final rule will become effective on the date

it establishes, and we will not take further action on this proposal. If we get comments that oppose these actions, we will withdraw the immediate final rule and it will not take effect. We will then respond to public comments in a later final rule based on this proposal. You may not have another opportunity for comment. If you want to comment on this action, you must do so at this time.

**DATES:** Send written comments by **[insert date 30 days from date of publication]**.

**ADDRESSES:** Send written comments to Alima Patterson, Region 6 Regional Authorization Coordinator, and Julia Banks, Codification Coordinator, , State/Tribal Oversight Section (6PD-O), Multimedia Planning and Permitting Division, EPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202-2733, Phone number: (214) 665-853 or (214) 665-8178. You may also submit comments electronically or through hand delivery/courier; please follow the detailed instructions in the ADDRESSES section of the immediate final rule which is located in the Rules section of this Federal Register.

**FOR FURTHER INFORMATION CONTACT:** Alima Patterson, (214) 665-8533.

**SUPPLEMENTARY INFORMATION:** For additional information, please see the immediate final rule published in the “Rules and Regulations” section of this **Federal Register**.

Dated: December 14, 2011

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Al Armendariz

Regional Administrator, Region 6

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